IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(Crl.).No. 111 of 2007(S)

PETITIONER:

SAJITH.M.P., S/O.PADMANABHAN,
METTUMPURATH,MALIAKKEL HOUSE,
PANACHIKAPPARA KARA, POONJAR NADUBHAGAM VILLAGE,
MEENACHIL TALUK.

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENTS:
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1. THE CIRCLE INSPECTOR OF POLICE,
ERATTUPETTA POLICE STATION,
KOTTAYAM DISTRICT.

2. THE SUB INSPECTOR OF POLICE,
ERATTUPETTA POLICE STATION,
KOTTAYAM DISTRICT.

3. THE SUB INSPECTOR OF POLICE,
PINAKKAANADU POLICE STATION.

4. MURALEEDHARAN NIAR,MALIKAPURATH HOUSE,
THIDEANADU,KONDOOR VILLAGE,KOTTAYAM DISTRICT.

BY ADDL.D.G.P.SRI.V.K.MOHANAN.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.) No.111 of 2007

Dated 23rd May, 2007.

J U D G M E N T

Kurian Joseph, J.

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of Habeas Corpus or any other writ or order or direction to the respondents to produce the body of the petitioner's wife Silpa Murali, Malikapurathu House, Thidanadu, Kondoor Village, Meenachil Taluk before this Honourable Court from the illegal custody of the 4th respondent."

Noting that there is no valid marriage between the petitioner and Smt.Silpa, the daughter of the 4th respondent, on the basis of the allegations made by the petitioner, this Court on 8.5.2007 issued a direction to the police to get a statement of the alleged detenue, who is with her father. Accordingly, the police has filed a statement. It is stated that Smt.Silpa is not in the illegal custody of anybody and she is living on her own volition and free will with her parents. In that view of the statement filed by the police, we find no merit in the writ petition. It is accordingly

dismissed.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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KURIAN JOSEPH &

T.R.RAMACHANDRAN NAIR, JJ

L.A.A. NO. OF 2004

J U D G M E N T

Dated 23rd May, 2007.